



City of Annapolis

Department of Planning & Zoning

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Planning Commission

April 2, 2015

The Planning Commission (PC) of the City of Annapolis held its regularly scheduled meeting on April 2, 2015 in City Council Chambers. **Chair** Herald called the meeting to order at 7:00p.m.

Commissioners Present: **Chair** William Herald, **Vice Chair** David Iams, David DiQuinzio, Robert Waldman, Benjamin Sale, Dr. Eleanor Harris

Staff Present: Peter Gutwald, Michael Leahy, Maria Broadbent, Thomas Smith, Kevin Scott, Cynthia Gudenius, Frank Biba, Jacalyn Bierman

CLOSED SESSION

The PC held a joint closed session on March 18, 2015 with the Board of Appeals and there were no actions taken at the closed session.

C. APPROVAL OF AGENDA

Mr. Sale moved approval of the agenda as revised to continue Unfinished Business item O-32-14 to the April 15, 2015 meeting where the public hearing will be reopened at that time. Dr. Harris seconded the motion. **Passed 6-0.**

D. APPROVAL OF MINUTES

February 5, 2015 Meeting Minutes

Mr. DiQuinzio moved approval of the February 5, 2015 meeting minutes as written. **Vice Chair** Iams seconded the motion. **Passed 6-0.**

E. MISCELLANEOUS

Chair Herald reminded the PC of the next meeting scheduled for April 15, 2015. He also asked members to include May 7 and May 20 on their calendars as there is tentatively a need for two meetings in May.

F. APPROVAL OF FINDINGS AND OPINIONS

1. R-38-14 Forest Conservation Act Fees and Fines

The PC deferred voting on the Forest Conservation Act Fees and Fines to its April 15, 2015 meeting.

2. O-35-14 Planning Commission Member Qualifications

Vice Chair Iams moved approval of O-35-14 Planning Commission Member Qualifications as revised. Dr. Harris seconded the motion. **Passed 6-0.**

3. PD2014-003 Planned Development Application by Maryland Hall for the Creative Arts

The PC deferred voting on the findings for Maryland Hall for the Creative Arts to its April 15, 2015 meeting.

G. UNFINISHED BUSINESS

1. O-32-14 Forest Conservation Requirements

Dr. Harris moved to continue Ordinance O-32-14 Forest Conservation Requirement to its April 15, 2015 meeting. Mr. Waldman seconded the motion. **Passed 6-0.**

H. PUBLIC HEARING

1. Hopkins Investment Company, Inc. Planned Development, PD2014-001

Mr. Scott presented the planned development application by Hopkins Investment Company, etc. to demolish the one story vacant concrete block warehouse building and the two story vacant wood frame structure in order to construct a new mixed use building that include 11 residential units, 4 commercial retail spaces with associated onsite parking. He concluded that the proposal complies with all the required standards and referred to the revised staff report that clarifies the density calculations.

Mr. Hyatt, Attorney, introduced those who would testify on the application. The property is a 27,000 square foot split zoned property of B2 and R2NC that wraps around Fourth Street and Chesapeake Avenue. The property has been sitting vacant for 14-15 years and was used by Hopkins Furniture for storage. The proposal consists of 11 resident units, stormwater management on the site, and conforms of the Comp. Plan, and very little traffic will be generated as a result of this project.

Mr. Jim O'Hare, Partners of Eastport Sail Loft discussed his company participation in this project. He stated that goal was to develop a plan that fits within the City laws; to develop a project that is economically viable and; design and develop a project that would fit within the context of Eastport. He believes that the design achieves those goals. He discussed the proposal to build to buildings on the property.

Ms. Deborah Schaub, Landscape Architect, discussed the landscape improvements made to the project specifically the tree preservation plan as well as the types of trees on the property. She believes that the landscape requirements have been met.

Mr. Terry Schuman, Engineer, stated that the public facilities, water/sewer is adequate for the project. He also discussed the stormwater management proposal for the site in the form of rain gardens and impervious pavers. The stormwater management plans submitted does satisfy the City requirements.

Mr. Leo Wilson explained that there have been several interactions with the community on this project specifically Eastport Civic Association and Eastport Business Association. He discussed the existing conditions and the proposal. He briefly discussed the floor plans of the buildings. Lastly he referred to renderings that show the building next to adjacent properties.

Public testimony opened at 857pm and those speaking on the application are listed below.

Name	Address	In Favor	In Opposition	Commented On
Kathryn Brown	414 Chesapeake Avenue			X
Bill Foster	413 Severn Avenue			X
Michael Jackson	420 Chesapeake Avenue			X
James Coulom	413 Chesapeake Avenue			X

No one else from the public spoke in favor or opposition to the ordinance so **Chair** Herald closed the public testimony at 9:13pm.

Chair Herald accepted the following exhibits into the record.

Exhibit Number	Planning Commission Exhibit Type
1	Staff Memorandum dated 3/26/15
2	Addendum to Staff Report of 3/26/15 dated 4/2/15
3	Applicant Exhibits – Exhibits “1” – “18”
4	James Ellerson Letter dated 3/31/15
5	Cardie Templeton Letter dated 4/2/15
6	Eleven Letters of Support: Richard Franyo dated 3/30/15 Additional comments from Richard Franyo Cardie Templeton dated 4/2/15 James King dated 4/1/15 Desiree Bell dated 3/30/15 Mr. and Mrs. David McClatchy undated Kevin Colbech dated 3/31/15 Charles Lewnes dated 4/1/15 Bruce Ebel dated 3/31/15 Lisa Masson dated 4/1/15 James Ellerson dated 3/31/15

Deliberations

Mr. Waldman moved to approve the project with additional language to Condition 10 that cementitious siding or better be used on exterior surfaces. Also additional language is added to Condition 5 “that surface parking is assigned in cooperation with P&Z.” Dr. Harris seconded the motion. **Passed 6-0.**

The PC adopted the staff report as the findings.

I. NEW BUSINESS

1. Parkside Preserve in Annapolis formerly known at Reserve at Quiet Waters

Mr. Smith went over the items provided to the Board of Appeals for review. He provided background that the final plat is a document that sets the boundaries of the lots being proposed specifically the metes/boundary description, public/private right of ways, utility easement; the items being placed in the conservation easement. In this application, there are 152 lots being created of which 66 are for single family detached; 67 for single family attached and 19 for moderately priced dwelling units. The total property consists of just over 39 acres of which 4.5 will be dedicated to the City of Annapolis in form of public right of way; 14.5 acres will be dedicated in a conservation easement to the City Conservancy Board; and 19.5 will be placed in a permanent common open space area. The final record plat was sent out for interagency review and found to comply with the approved preliminary plat that was approved in 2012.

The Planning Commission asked several clarifying questions regarding the final plat specifically if there would be any impacts to their approving the final plat if there are any appeals made. Mr. Elson responded that upon review there were no provisions that indicated that a “stay” would be needed in the event of an appeal.

Deliberations

During deliberations, **Vice Chair** Iams expressed concern with voting on a document that he did not have the adequate time to review as it was provided the day before the meeting.

Mr. Sale recused from participating or voting on the final plat as he was not present at the original hearings.

Dr. Harris moved to approve the final record plat for Parkside Preserve in Annapolis formerly known as Reserve at Quiet Waters. Mr. DiQuinzio seconded the motion. **Passed 4-0** (lams abstained)

J. ADJOURNMENT

With there being no further business, **Vice Chair** lams moved to adjourn the meeting at 10:25pm. Mr. DiQuinzio seconded the motion. **Passed 5-0.**

The next meeting is scheduled for April 15, 2015 at 7:00pm.

Tami Hook, Recorder